

# Maryland State Archives Special Collections

## Collections Development and Management Policy

Draft version dated April 26, 2018

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## **I. Mission Statement and Authority**

The Special Collections Department, established in 1935, supervises the care, preservation, accessioning, and description of non-state agency generated records (see Md. STATE GOVERNMENT Code Ann. § 9-1010 (2013)). These records are usually acquired by the Archives through gifts or deposits by private donors and generally consist of personal letters, diaries, organizational records, newspapers, photographs, maps, and documents. The department also manages the State battle flag collection and other culturally-significant artifacts relating to state government and major historic sites.

It should be noted that Maryland State Archives Special Collections does not receive fine or decorative art objects. Instead, such art objects fall under the purview of the Maryland Commission on Artistic Property which serves the public as the official custodian of the state-owned art collection, as well as fine and decorative arts owned by or loaned to the State.

The mission of Special Collections is directed by State of Maryland Code Sec. 9-1010 which states in part that “The Archives

1. shall collect public and private records and other information that relate to the history of the province and State of Maryland from the earliest times, including church records and newspapers;
2. may edit and publish these records;
3. shall encourage research into the history of the State.”

One of the most important duties of Special Collections is to make collections accessible to the public. The preparation of records for circulation to researchers is, however, only a portion of the equation. Integral to the Archives’ overall mission is to make Special Collections record descriptions available within a searchable database via the Internet.

Digital access formats and born digital records are essential to Special Collections’ mission to make records accessible. Special Collections also uses digital formats to preserve the informational content of its collections.

While collections are often offered as gifts to the Archives, materials are occasionally accepted on deposit. The decision to accept a collection or original materials as a deposit is made by the Director of Special Collections in conjunction with the State Archivist based upon the relevance of the collection to the holdings of the Archives, its condition, and the historical value of the collection. A collection may be placed on deposit if its contents are to be digitized as a reference collection at the Archives and the original materials returned to the owner.

## **II. About this document**

### **Purpose**

The purpose of this document is to guide Special Collections staff in making intellectually sound and ethically defensible decisions as well as to allow donors and other interested parties to understand Special Collections policies and operations.

### **Public disclosure**

Potential donors may request a copy of this policy. Parties to whom materials are loaned may also receive this policy.

To aid potential donors, the policies related to collecting are available for donors to see online at <http://speccol.mdarchives.state.md.us/pages/speccol/donate.aspx>.

### **Review**

Special Collections staff and the State Archivist (or designated staff) review and revise this document every five years.

Due to the volatile nature of URLs, staff check the links in this document annually and update contact information as required.

## **III. Scope and usage of existing collections**

The greatest strengths of Special Collections are records from newspapers, religious institutions, and maps.

Other areas represented in Special Collections include:

- Historic photographs of the state of Maryland

- State battle flags

- Personal papers of prominent Marylanders and families

- Personal papers of officials in county, state and municipal levels

- Papers of public advocacy groups and nonprofits

- Materials related to slavery in Maryland and its legacy

- Research materials of scholars

- Digital and microfilm copies of materials related to MD, such as photographs and

- Papers held in other repositories, particularly historical societies within the state.

Genealogists are among the Archives' largest constituents, and make frequent use of religious records and newspapers. Historians most often cite Special Collections for our newspapers and maps. Common research topics include slavery, community history, city planning and architecture, and especially the histories of Baltimore and Annapolis.

## **IV. Collecting policy**

### **a. Sources of acquisitions current and future**

In acquiring materials, Special Collections staff abide by the Maryland State Employees

Standards of Conduct. (See Appendix C)

In the past, Special Collections has relied mostly upon unsolicited donations to build its collections. Special Collections now moves towards more proactive seeking of collections in order to diversify and develop its collections and ensure that valuable contemporary and historical material finds its way into a public repository.

## **b. Materials collected**

The general goal of acquisitions is to build from strength while seeking to fill selected gaps.

Special Collections particularly collects materials complementary to the Archives' overall mission of preserving government records. For example, personal papers of government officials, campaign materials, and records of public advocacy groups.

Fields in which Special Collections seeks to fill gaps in its holdings include

- Business and labor
- Immigration and immigrant communities
- Women's history
- African Americans since the time of the Civil Rights movement
- Hispanic Americans
- Environmental history
- Human activity connected to the Chesapeake Bay
- Regions of Maryland, especially the western and southern counties
- Recent Maryland history from 1975 to 2000
- Religions and denominations underrepresented in our current religious collections
- Tourism

Special Collections has historically collected paper materials such as manuscripts, maps, books, and photographs. We continue to acquire those materials while seeking out media reflective of twenty and twenty-first century communication such as film, sound recordings, and digital records. Audiovisual materials in obsolete formats or with conservation issues usually cannot be accepted without a donation to the Friends of the Maryland State Archives cover these costs.

Increasingly, Special Collections acquires collections which were born digital, without a physical original. The Archives' reserves the right to request that the materials be provided in specific access file formats and with an inventory for large groups of data.

Special Collections acquires three dimensional objects, but much more selectively than papers and media due to storage and preservation requirements. Special Collections does not collect clothing, toys, tools, cutlery, or personal accoutrements. The Maryland Commission on Artistic Property is the unit that evaluates fine and decorative art relating to Maryland government for inclusion in Archives' holdings..

### **c. Transfers and Receipts**

When Maryland State Archives receives an incoming gift, deposit, or loan, receipts must be issued at the time a collection is either brought into the building or returned to a donor or lender. Original receipts (See Appendix E) will be signed and dated by the Archives' representative as well as by the person giving or receiving the materials. Persons authorized to act as the Archives' representative to receive or loan materials should be: a member of the Special Collections staff, the State Archivist, or the Deputy State Archivist. If none of these Archives' representatives are available for a transaction, the State Archivist may delegate another senior staff member such as the Director of Reference or Curator of Artistic Property to sign on the Archives' behalf.

The receipt will provide a general description and volume of materials that are received and the full contact information of the donor, lender or recipient. If there is already an assigned special collection accession number related to the material, then this will also be documented on the receipt.

One original receipt is kept in the collection's administrative file, and a second original is given to the other signer. In rare cases when a written receipt is not possible, the Maryland State Archives staff will send an email to the person transferring materials into custody so that there is a dated agreement documenting the transaction.

Outgoing receipts (see Appendix F) must be itemized and are issued when any materials from Maryland State Archives holdings leave the custody of the Archives. Generally, loans occur only by prior agreement between the State Archivist with a museum, archive or other repository. Each outgoing receipt must record: the date of transfer; all collection accession numbers; full description of the items; the purpose of the transfer (such as a loan for exhibit or special conservation); and signatures of both parties in order to document the temporary transfer of custody for Archives' materials. Official loan agreement numbers (see Section V. c. below) will be recorded on outgoing transfers related to a loan. An original of any outgoing receipts will be kept in the collection's administration file.

### **d. Accessioning**

Special Collections reserves the right to refuse any bequest if

- the materials do not fall under the collecting scope (See Section 4b above);
- the materials are in poor physical condition, including insect infestation, water damage, and mold;
- the materials would be too costly to process and house for long term care;
- the donor does not have legal possession of the materials;
- the materials that duplicate records or objects already found in the holdings;
- if the donor wishes specific requirements that the State Archives cannot fulfill.

The burden of proof of ownership is on potential donors and on individuals, groups, and institutions.

Other reasons that Special Collections may refuse a gift offer include that some collections require a considerable amount of processing or conservation work to make them accessible or have considerable storage requirements. The Maryland State Archives may not have the resources to accession or to permanently preserve a particular collection. However, if a particular donation fits the collecting policy and has high research or intrinsic value, Special Collections may accession the materials only if they are accompanied by a donation to the Friends of Maryland State Archives or grant to cover some of the costs of making the material available to the public. The Special Collections department may provide the donor an estimate of project costs for processing and/or preservation based upon the amount of material in the collection and its physical condition.

The holders of any materials which are promised to Special Collections must notify Special Collections if the materials have been at any time exposed to water, smoke, or some other damaging environmental condition.

Additionally, Special Collections staff and/or Archives' conservators will note any visible signs of exposure to water, smoke, pests, or another damaging environmental condition before any agreement to accept and accession the materials permanently into Archives holdings. For this reason, any incoming materials, whether deposited, loaned, or accessioned, must be brought to the conservation lab for inspection.

If the donor's materials are not appropriate for the Maryland State Archives, it is best practice for staff to recommend a repository with the appropriate scope and resources for the donor's materials.

Special Collections does not perform monetary appraisals of materials, following federal IRS regulations. Potential donors seeking monetary or insurance appraisals should contact one of the professional associations for certified appraisers, including the American Society of Appraisers and the Appraisers Association of America. Maryland State Archives staff will also not provide estimates or speculate on a collection's market or insurance value to a potential donor. The legal responsibility for furnishing evaluations to governmental tax agencies rests with the donor.

The donor must agree to the terms of the standard Deed of Gift form. (See Appendix G) Recommendations for allowing terms of donations which differ from the standard form, for example cases in which the donor retain copyright, are made by the Collections Advisory Committee. However, it is preferred that donors should agree to the standard terms.

Once it is determined that a collection will be a gift to the Archives, a gift agreement or "deed of gift," will be issued. There is a standard format for Special Collection gift

agreements available in Appendix G. Deeds of Gift are signed in duplicate by the Depositor(s) along with Archives' legal counsel and the State Archivist. An original agreement is returned to the donor or donors, and another placed in the Special Collections administrative file in the MSA S1275-1 series. Gift collections are assigned a collection number and cataloged in the Guide to Special Collections available from the Archives' webpage, which includes a link to detailed series and item inventories created by Special Collections archivists.

#### **e. Deposits**

If a collection is brought in as a temporary deposit, a deposit agreement should be issued as soon as possible (See Appendix H). Deposit Agreements are signed in duplicate by the Depositor(s) along with Archives' legal counsel and the State Archivist. An original agreement is returned to the depositor and another placed in the Special Collections administrative file in the MSA S1275-1 series. Deposits are assigned a collection number and cataloged in the Guide to Special Collections available from the Archives' webpage.

If an organization — rather than an individual — owns the original materials, the collection description should state the depositing agency or organization. The governing body of the organization should be the primary authority for responsible donation of a collection. Private, individual depositors may choose to be identified as the owners of the originals, but may also choose to remain anonymous as by agreement with the Archives. Donors or depositors choosing to remain anonymous, will not have their names disclosed on the public Guide to Special Collection, but records of their contact information will be kept for internal documentation.

It is understood that the Archives may grant researcher access in our Search Room to any information digitized by the Archives, unless the records fall under privacy regulations or law or by an exception made with the consent of the State Archivist and governed by a deposit agreement. Depositors' copyright interests will be respected by the Archives, with public Search Room researchers granted access under Fair Use doctrine (See Section 107 of the Copyright Act). Any other stipulations about what level of public access to digital surrogates the Archives must be made between the Archives and the Depositor in the deposit agreement.

#### **f. Deaccessioning**

Reappraisal determines which materials should remain in Special Collections and which should be deaccessioned. Contextual knowledge of the holdings of Special Collections informs the best reappraisal decisions. Thus, planned reappraisal of select topics and formats offers the most objective circumstances in which to make decisions about deaccessioning. However, materials may be deaccessioned whenever the opportunity arises under the circumstances as follows.

Any collection or part of a collection may be deaccessioned if one or more of the following criteria apply

They do not fit the current collecting policy.

They are physically degraded to the point of

loss of information;

excessive conservation costs;

posing a danger to the health of staff and users;

or they are in an inaccessible, antiquated electronic format.

They are not unique.

In addition to formal deaccessioning of collections, Special Collections staff may weed duplicate items, retaining at least one to three copies of reproduced materials in the collection in order to preserve stacks space for new accessions. Items in poor physical condition from a collection may be removed by the staff only with written and photographic documentation.

#### Procedures of deaccessioning

1. Reappraisal
2. If one or more of the above criteria apply, staff must examine deed or gift and any other documents related to title and donor intent to ensure that Special Collections has the right to deaccession the materials.
3. The materials may be removed from the Archives via
  - a. Transfer to another repository (preferred option as it allows researcher access to the materials)
  - b. Return to donor
  - c. Or, if the materials are physically degraded to the point of loss of information or posing a health risk to staff and users, appropriate disposal and documentation following State regulations is permitted. Disposal certificates will be signed by the State Archivist and retained in the administrative files.
4. Special Collections staff make a recommendation to the State Archivist for deaccessioning.
5. If possible, staff contact the donor or the donor's heirs informing them of the decision to deaccession.
6. Before deaccessioning, staff make a digital image of the materials and other pertinent documentation to be kept as a record of the process. The digital photographs of such items will be kept in an administrative file along with the disposal certificate signed by the State Archivist.

## **V. Operating policy**

### **a. Access to collections**

Providing access to materials is one of Special Collections' most important duties. Special Collections seeks to provide broad access to its holdings whenever possible.



The Guide to Special Collections is available online at <http://speccol.mdarchives.state.md.us/msa/speccol/catalog/cfm/index.cfm>.

Selected items and special projects are available online. Grant funded projects provide access to topic specific special collections such as Legacy of Slavery in Maryland case studies and Historical Photographs of Maryland webpages.

Most materials are not available online and fall under Maryland State Archives circulation policies. These materials are available in the Search Room of the Archives' main building at 350 Rowe Boulevard in Annapolis. Rules regarding registration and use of records are available at <http://guide.mdsa.net/viewer.cfm?page=rules>.

Some materials are restricted due to physical condition or due to an agreement with the donor. Fragile materials such as photographic negatives do not circulate and visitors receive a surrogate. An appointment with collections or conservation staff may be necessary for patrons to inspect fragile materials.

The State of Maryland's rare books and manuscript materials are only available via appointment. Access to certain digital, video, and audio materials is only available via appointment. Contact the Director of Special Collections regarding these special access arrangements. (See Appendix D)

## **b. Duplication**

Patrons can order high-quality digital and print reproductions of Special Collections materials for personal or commercial use. However, this service requires a fee and takes two to four weeks to complete. Due to intellectual property rights, not all materials can be reproduced. The Maryland State Archives reserves the right to review all publication requests for Special Collections and may not grant permission if known copyright or privacy concerns exist. Terms and the request form are available online at [http://www.msa.md.gov/msa/speccol/html/fees/image\\_order\\_form.pdf](http://www.msa.md.gov/msa/speccol/html/fees/image_order_form.pdf).

The doctrine of Fair Use (17 U.S.C. § 107) guides staff in making reproductions of materials for archival, research, and educational purposes.

Some materials can be photographed without flash in the reading room. Please refer to the Search Room Rules and Regulations. <http://guide.mdsa.net/pages/viewer.aspx?page=rules>. Permission for the use of cameras must be secured from a member of reference management or the senior archivist on duty.

To the extent that it is possible within Maryland State Archives resources, Special Collections will continue to digitize fragile and/or highly-requested materials in their custody to preserve materials for future research and to provide the public with ease of reference access upon request.

### **c. Loans**

Any institution wishing to borrow materials from the Maryland State Archives must contact the State Archivist with information about the specific items requested, loan dates, and secure location of the materials while on loan. Exhibit facilities borrowing archival materials must provide information regarding the safeguards of collections on loan. The borrowing institution must agree to the terms set forth in Maryland State Archives Outgoing Loan Agreement.

Should the loaned materials be damaged or exposed to water or other deleterious environmental conditions, the borrowing institution must immediately contact the main contact listed on the loan agreement or another emergency contact in Special Collections. (See Appendix I)

### **d. Conservation of holdings**

Due to the volume of materials in Special Collections as well as the Maryland State Archives as a whole, systematic examination of collections for conservation issues is not feasible. However, the accessioning procedure requires all incoming collections to be reviewed by a conservator or collections care specialist. Additionally, conservators are consulted on materials needing special rehousing requirements as well as any documents or books that need stabilization or treatment prior to being digitized or placed on exhibit.

Special Collections staff communicate all preservation concerns to conservation laboratory staff as the need arises and cooperate in weighing conservation costs and priorities against the informational or intrinsic value of an item.

The Maryland State Archives follows best practices such as migration and duplication of digital records to ensure their preservation.

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## **Appendix A. Glossary**

### **Access**

The ability of users to locate and retrieve information from Special Collections materials.

### **Accession**

To take physical and legal custody of materials and document their transfer into the collections of the archives.

Conservation

The repair and stabilization of materials to ensure their physical survival.

Deaccessioning

The process of permanently withdrawing materials from a repository.

Fair use

The use of copyrighted materials for noncommercial teaching and research purposes as described by U.S. copyright law.

Intellectual property

Rights such as copyrights or trademarks which protect creative works.

Intrinsic value

Significance of an item in its connection to an important event, person, or group, or its physical format or method of creation.

Loan

The temporary transfer of physical custody, but not ownership, of material from one party to another.

Reappraisal

The process of reviewing and identifying materials that no longer merit preservation in an archives in preparation for deaccessioning.

Surrogate

A physical or digital reproduction of an item which retains all the information found in the original.

**Appendix B. Code of Maryland**

Article - State Government

Md. STATE GOVERNMENT Code Ann. § 9-1010 (2013).

(a) The Archives:

(1) shall collect public and private records and other information that relate to the history of the province and State of Maryland from the earliest times, including church records and newspapers;

(2) may edit and publish these records; and

(3) shall encourage research into the history of the State.

(b) Any records and materials that relate to the history of Maryland and are not needed for the operation of a unit belong to the Archives and shall be under the supervision of the State Archivist.

## **Appendix C. Standards of conduct**

### **EXECUTIVE ORDER 01.01.2015.08**

**(Rescinds Executive Order 01.01.2007.01 and Amends Executive Order 01.01.2015.07)**

#### **Standards of Conduct for Executive Branch Employees and Reporting of Misconduct**

- A. An employee shall not, except as permitted by applicable law or regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
- B. Employees shall exhibit exemplary conduct and use honest efforts in the performance of their duties.
- C. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
- D. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.
- E. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
- F. Employees shall act impartially and not give preferential treatment to any private organization or individual.
- G. Employees shall protect and conserve State property and shall not use it for other than authorized activities.
- H. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, which conflict with official Government duties and responsibilities.
- I. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- J. Employees shall satisfy in good faith their civic and legal obligations, including payment of federal, State, or local taxes that are imposed by law.
- K. Employees shall adhere to all applicable laws and regulations that provide equal opportunity for all Marylanders regardless of race, color, religion, gender, national origin, age, disability, sexual orientation, marital status, or gender identity.
- L. Employees shall endeavor to avoid any actions creating the appearance of any impropriety or that violate applicable laws, regulations, and ethical standards.
- M. Employees shall conduct intra-agency and interagency relations with civility, collaboration, and cooperation. These same principles shall apply to interactions with

officials and employees of the legislative and judicial branches.

N. Upon leaving state service, executive branch employees shall be bound by the restrictions of the Annotated Code of Maryland, General Provisions Article, Section 5-504, with respect to lobbying and other forms of representation.

O. All departments and agencies of the State shall immediately refer to the Principal or Deputy Counsel of the department or agency or to the Deputy Attorney General with supervisory responsibility for the Attorney General's Criminal Investigations Division, any instance of possible criminal or unethical conduct by any employee or contractor of this State, for such action as the Office of the Attorney General deems appropriate. All departments and agencies shall also immediately advise the Chief Legal Counsel to the Governor of any such referrals.

P. All departments and agencies shall require each employee to report to the Secretary or Director of such department or agency as to any arrest of an employee and as to each legal proceeding in which an employee is involved, as a party or otherwise, if the arrest or legal proceeding affects, or reflects on, the employee's job fitness or performance.

Q. Consistent with all applicable substantive and procedural laws, violations of this Executive Order are grounds for employee disciplinary action, including termination from State employment.

Effective date: January 23, 2015

#### **Appendix D. Emergency contacts**

Maria Day, Director of Special Collections  
(410) 260-6410  
[maria.day@maryland.gov](mailto:maria.day@maryland.gov)

Megan Craynon, Deputy Director, Special Collections  
(410) 260-6447  
[megan.craynon.@maryland.gov](mailto:megan.craynon.@maryland.gov)

Maryland State Archives Conservation, main (410) 260-6440

If you cannot reach Special Collections, please contact the Director of Reference, (410) 260-6442 or the office of the State Archivist, (410) 260-6401.

#### **Appendix E. Transfer Receipt**

Maryland State Archives

**Department of Special Collections**

**RECEIPT**

Date:

The Maryland State Archives acknowledges receipt of the following materials:

ITEMS

_____	_____
	Date

_____	_____
Maryland State Archives	Date

**Appendix F. Outgoing Transfer Receipt**

**Maryland State Archives**

**Department of Special Collections**

**OUTGOING LOAN RECEIPT**

Date:

Name/Organization

Address

City, State Zip

\_\_\_\_\_ acknowledges receipt of the following materials from Maryland State Archives under loan agreement MSA S1275-2-####:

## ITEMS

_____	_____
	Date
_____	_____
Maryland State Archives	Date

### Appendix G. Deed of gift agreement

Deed of Gift  
between  
THE MARYLAND STATE ARCHIVES  
and  
Donor Name  
Address line 1  
Address line 2  
City, State, Zip

Hereafter referred to as the "Owner" of the property described below, hereby gives, transfers, and assigns all interest, including copyrights, exhibition rights or other rights, if any, which the Owner has in the same, to the Maryland State Archives, a State agency authorized to accept gifts under the laws of the State of Maryland, Code State Government Art., sec. 9-1008(a)(2), hereinafter referred to as the "Archives," the following property:

MSA SC ####: Name of Collection *[add a detailed description of the items to be donated. A separate inventory can be attached for larger collections]*

*Collection Dates:*  
*Medium:*

NOW, THEREFORE, the parties hereto agree as follows:

1. It being agreed that the Archives will identify the gift on Archives' exhibition labels, publications, and records as follows: MSA SC ####: Name of Collection.
2. The purpose of this gift is to enhance the Special Collections holdings of the Maryland State Archives and to provide public access.

3. It being agreed that the Archives has complete discretion over the use of this property subject to the following conditions:
- The property included in this gift can be used in exhibitions of the Archives or by other institutions deemed suitable by the State Archivist.
  - The property included in this gift can be reproduced in publications under the supervision of the Archives or in other publications deemed suitable by the State Archivist.
  - The Archives is permitted to circulate, digitize, or otherwise copy any of the property listed in this agreement. The Archives may sell digital copies of this collection and make them available for public use.
  - Documentation relating to this gift will be kept by the Archives, Special Collections Office, MSA S 1275-1-####.
4. Delivery of the property described above from the custody of the Owner to the Archives took place on DATE OF RECEIPT.
5. WHEREAS, the Owner wishes to make a charitable contribution to the Archives, and the Archives gratefully wishes to accept such contribution, the Archives accepts this gift under the conditions specified above to be used as a gift collection, MSA SC ####:  
Name of Collection.

IN WITNESS THEREOF, the parties hereto have set their hand as of the \_\_\_\_\_ day of \_\_\_\_\_, 201-

\_\_\_\_\_  
MARYLAND STATE ARCHIVES

\_\_\_\_\_  
Timothy D. Baker, State Archivist and  
Commissioner of Land Patents

Approved for legal sufficiency by the Office of the Attorney General this \_\_\_\_\_ day of \_\_\_\_\_, 201-

By \_\_\_\_\_

#### **Appendix H. Deposit Agreement**

Deposit Agreement  
between



THE MARYLAND STATE ARCHIVES

and  
Donor Name  
Address 1  
Address 2  
City, State, Zip

hereafter referred to as the "Depositor" of the property described below, hereby deposits with the Maryland State Archives, hereafter referred to as the "Archives", the following property:

MSA SC          Collection Description in short paragraph form is entered here.  
#####: Name    [Attach inventory on separate sheet if it is sufficiently long.]  
of Collection

*Collection Dates:*  
*Medium:*

NOW, THEREFORE, the parties hereto agree as follows:

1. It being agreed that the Archives will identify the deposit on Archives' exhibition labels, publications, and records as follows: Name of Collection, MSA SC ####.
2. The purpose of this deposit is [based upon needs of the collection and will be one or more of the following options: a) temporary storage; b) preservation/conservation; c) appraisal; d) research; and/or e) imaging].
3. The term of this deposit is [Dates to be included].
4. It being agreed that the deposit of item(s) at the Archives is subject to the following conditions:
  - [OPTIONAL] The Depositor will compensate Archives for any resources and Archives staff expertise needed to fulfill the purpose and main terms of the deposit stated above. [An attached fee schedule will provide Depositor with cost estimates for work to be completed by Archives.]
  - The cost of appraisal, if necessary, for item(s) listed in this agreement is the responsibility of the Depositor.
  - The Archives will exercise the same care in respect to the item(s) listed above that it does in the safekeeping of comparable property of its own.
  - The Depositor releases and holds harmless the Maryland State Archives from any liability or damages to or loss of the deposited material. Insurance, is the responsibility of the Depositor, and shall be made upon the basis of a recent appraisal paid for by the Depositor.
  - Property listed in this agreement can be used in exhibitions of the Archives and reproduced in publications under the supervision of the Archives.
  - The Archives is permitted to circulate, digitize, or otherwise copy any of the property listed in this agreement. The Archives may sell digital copies of this collection and make them available for public use.

- The Depositor may remove materials from this collection at any time upon receipt by the Archives of written notice stating such intent. The Depositor may also designate other individuals who may, upon receipt by the Archives of written notice, remove all or any items from this collection. The Depositor may amend this list at any time with written notice to the Archives.
  - It is agreed that reasonable notice for removal of any item(s) by the Depositor or individuals designated above is no less than two weeks from the time such written notification is received by the Archives. The Archives reserves the right to refuse to honor requests for removal of any item(s) from this collection with less than reasonable notice and without compensation for the costs for processing the items, as specified in the above conditions.
  - The Depositor must present this agreement to the Archives as proof in order to remove any item(s) from this collection. The Archives may request photo identification from any individual designated above who intends to remove any item(s) from this collection and reserves the right to refuse to honor such a request if unsatisfied with the identification offered.
  - If there is a change in the identity and/or address of the Depositor or the owner, the Archives must be notified promptly in writing. The Archives assumes no responsibility to search for a Depositor (or listed owner) not located at the address of record.
  - If, after five years from the execution of this agreement, the terms of this agreement/deposit are not renewed, any item(s) in this collection still remaining in the custody of the Archives, become an unconditional gift.
  - Documentation relating to this deposit will be kept by the Archives, Special Collections Office, MSA S 1275-1-####.
5. Delivery of the property described above from the custody of the Depositor to the Archives took place on DATE OF RECEIPT.

IN WITNESS THEREOF, the parties hereto have set their hand as of the \_\_\_\_\_ day of \_\_\_\_\_, 20--

\_\_\_\_\_

MARYLAND STATE ARCHIVES

\_\_\_\_\_  
Timothy D. Baker, State Archivist

Approved for legal sufficiency by the Office of the Attorney General this \_\_\_\_\_ day of \_\_\_\_\_, 20--

By \_\_\_\_\_

## Appendix I. Loan Agreement

MARYLAND STATE ARCHIVES  
OUTGOING LOAN AGREEMENT  
AND CATALOG INFORMATION  
Loan Identification Number: MSA S 1275-02-###

Borrower:

Address:

Contact:

Phone:

E-mail:

Lender: Maryland State Archives

Address: 350 Rowe Boulevard, Annapolis, MD 21401

Contact: Director, Special Collections

Phone: 410-260-

E-mail:

Location of item(s) while on loan:

This loan agreement for an item from the [NAME OF LENDING INSTITUTION] has been prepared by the department of Special Collections the Maryland State Archives. The State Archivist has designated the Director of Special Collections, as the Archives' representative in all matters associated with this loan.

1. Period and conditions of loan:

The State of Maryland reserves the right to recall the item(s) from loan and to cancel this loan for good cause at any time. While the borrower has care, control and custody of the item(s) during the period of the loan, the State reserves the right to observe the condition of the objects. [This loan {is/is not} renewable. Upon the completion of the initial loan period, the loaning institution will consider renewal upon the request of the borrower. The Director of Special Collections will may request the return of any object which remains in storage for the duration of the loan.]

2. Purpose of loan:

3. Description of item(s) loaned:

Creator/Author/Artist:

Title/Description:

Date:

Medium:  
Dimensions:  
Value:

4. Labels: The item(s) shall be identified by the use of the information given in this loan agreement. Cases of reattribution shall be determined in consultation with the Director of Special Collections.

5. Insurance: The borrowing institution, [NAME OF BORROWING INSTITUTION], bears the risk of loss for items on loan. Item(s) on loan shall be insured by the borrower for the value stated by the lender under an all-risk, wall-to-wall policy subject to the following standard exclusions: wear and tear, gradual deterioration and inherent vice, moths, vermin, loss of damage sustained due to or resulting from any repairing, restoration, or retouching process; hostile or warlike action in time or peace or war including action in hindering, combating or defending against an actual, impending or expected attack; loss by nuclear reaction or radioactive contamination, all whether controlled or uncontrolled

6. Handling:

a. Item(s) borrowed shall be given special care to insure against loss, damage, or deterioration. The borrower agrees to meet the special requirements for installation and handling as noted below.

b. Item(s) will be maintained in a building with automatic smoke detector-alarm system, 24-hour security or automatic intruder-alarm system, climate control, and be protected from dirt, insects, vermin or other environmental hazards. Item(s) shall be protected from direct sunlight, and fabrics and works of art on paper shall be protected against fading, scorching, and cockling caused by direct or reflected sunlight, strong artificial light, fluorescent light, or proximity to heat sources and exterior walls.

c. Item(s) shall be handled only by experienced personnel and be secured from handling by the public, damage and theft by exhibition in locked cases, or be securely fastened to walls, bases, and other responsible means. Item(s) shall not be used except for display or purposes as cited above. Item(s) will be stored in secure limited access storage area when not on display.

d. Item(s) shall remain in the condition in which they are received; no item shall be unframed, disbound, removed from mat, mount or base, cleaned, repaired, retouched, or

altered in any way whatsoever except with the prior written permission of the lender.

e. Unpacking and repacking will be done by experienced personnel under competent supervision and according to any written instructions accompanying the loan. Each item is received by the borrower in good condition unless otherwise noted. The borrowing institution bears the risk of loss for items during transit. Should damage occur in transit, the lender and carrier shall be notified and all packing materials saved for inspection. A condition report will be provided at the time of arrival and at the conclusion of the loan.

f. Any change in status of an item, when placed on display or removed from display, will be reported immediately to the lender.

7. Special handling or display requirements:

a. None

8. Amendments: Any amendments to the conditions of this loan or the location of items must be approved by the Maryland State Archives.

By signing this loan agreement the borrower and lender acknowledge acceptance of the conditions contained in this document.

IN WITNESS THEREOF, the parties hereto have set their hand as of the \_\_\_\_ day of \_\_\_\_\_, 20--.

Borrower \_\_\_\_\_  
[NAME OF BORROWING INSTITUTION]

Lender \_\_\_\_\_  
Maryland State Archives

MARYLAND STATE ARCHIVES

By \_\_\_\_\_  
Timothy D. Baker  
State Archivist and Commissioner of Land Patents

Approved for legal sufficiency by the Office of the Attorney General this \_\_\_\_ day of \_\_\_\_\_, 20--

By \_\_\_\_\_

